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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/587,675
	Filing Date	July 27, 2006
	First Named Inventor	Martin Eberle
	Art Unit	1614
	Examiner Name	To be Known
Total Number of Pages in This Submission	Attorney Docket Number	104610-57758 (22011)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Gibbons, Del Deo, Dolan, Griffinger & Vecchione	
Signature		
Printed name	William H. Epstein	
Date	Reg. No.	20,008

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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104610-57758 (22011)

1614/DJW  
gmu

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Patent Application of:  
Eberle et al.

Serial No. : 10/587,675

Filed : July 27, 2006

Title : Substituted benzimidazoles and their  
use for inducing apoptosis

:  
: Art Unit : 1614  
:  
: Examiner : To be Known  
:  
:  
:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. §1.97-1.99, applicants are submitting the International Preliminary Report on Patentability by the International Bureau of WIPO, issued on August 14, 2006, in the PCT application No. PCT/EP2005/050586, which corresponds to the captioned application.

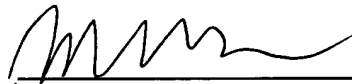
A copy of the International Preliminary Report on Patentability is enclosed herewith along with a completed form PTO-1449. The Written Opinion of the International Searching Authority and two references have been previously submitted in this application.

The International Preliminary Report on Patentability submitted herewith was cited for the first time in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. Consequently, no fee is due.

If any extra fees are due in connection with the submittal of this paper, the Examiner is hereby authorized to charge Deposit Account No. 03-3839.

Please address all correspondence to Intellectual Property Docket Administrator, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, One Riverfront Plaza, Newark, NJ 07102-5496. Telephone calls should be made to William H. Epstein at (973) 596-4607 and fax communications should be sent directly to him at (973) 639-6397.

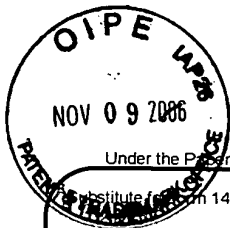
Thank you for your consideration.



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/587,675
				Filing Date	July 27, 2006
				First Named Inventor	Martin Eberle
				Art Unit	1614
				Examiner Name	To be Known
Sheet	1	of	1	Attorney Docket Number	104610-57758 (22011)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		International Preliminary Report on Patentability issued for the corresponding PCT application No. PCT/EP2005/050586 on August 14, 2006.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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